

FILED: October 8, 2015

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 14-1517 (L)  
(11-CA-077869)  
(11-CA-078827)  
(10-CA-080133)  
(11-RC-076776)

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INTERTAPE POLYMER CORP.

Petitioner

v.

NATIONAL LABOR RELATIONS BOARD

Respondent

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No. 14-1553  
(11-CA-077869)  
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NATIONAL LABOR RELATIONS BOARD

Petitioner

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INTERTAPE POLYMER CORP.

Respondent

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J U D G M E N T

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The proposed judgment attached hereto is adopted as the judgment of this court under Fed. R. App. P 19. The order of the National Labor Relations Board is enforced in part, and the matter is remanded to the Board for further proceedings in accordance with the court's opinion of September 8, 2015.

/s/ PATRICIA S. CONNOR, CLERK

UNITED STATES COURT OF APPEALS  
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INTERTAPE POLYMER CORP.

Petitioner/Cross-Respondent

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NATIONAL LABOR RELATIONS BOARD

Respondent/Cross-Petitioner

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) Nos. 14-1517

) 14-1553

) Board Case Nos.

) 11-CA-077869

) 11-CA-078827

) 10-CA-080133  
)

JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before: TRAXLER, Chief Judge, WILKINSON and FLOYD, Circuit Judges

THIS CAUSE came to be heard upon a petition filed by Intertape Polymer Corp. to review, and a cross-application filed by the National Labor Relations Board to enforce, an Order of the National Labor Relations Board, Case Nos. 11-CA-077869, 11-CA-078827 and 10-CA-080133, reported at 360 NLRB No. 114 (May 23, 2014). The Court heard argument, considered the briefs and the record filed in this case. On September 8, 2015, the Court handed down its opinion granting Intertape Polymer Corp.'s petition in part and granting in part the Board's cross-application for enforcement. In conformity therewith, it is hereby

ORDERED AND ADJUDGED by the Court that Intertape Polymer Corp., its officers, agents, successors, and assigns, shall abide by said order (see attached Order and Appendix).

## INTERTAPE POLYMER CORP.

v.

## NATIONAL LABOR RELATIONS BOARD

**ORDER**

Intertape Polymer Corp., Columbia, South Carolina, its officers, agents, successors, and assigns, shall

1. Cease and desist from
  - (a) Coercively interrogating employees about their union sympathies and/or support.
  - (b) Confiscating union materials from break areas for unlawful discriminatory reasons.
  - (c) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act
  - (a) Within 14 days after service by the Region, post at its Columbia, South Carolina facility copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 11, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the

notice to all current employees and former employees employed by the Respondent at any time since February 1, 2012.

- (b) Within 21 days after service by the Region, file with the Regional Director for Region 11 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

**APPENDIX****NOTICE TO EMPLOYEES**

**POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES  
COURT OF APPEALS ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government**

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

**FEDERAL LAW GIVES YOU THE RIGHT TO**

Form, join or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

**WE WILL NOT** coercively question you about your union sympathies and/or support.

**WE WILL NOT** confiscate union materials from break areas for unlawful discriminatory reasons.

**WE WILL NOT** in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

**INTERTAPE POLYMER CORP.**

The Board's decision can be found at [www.nlr.gov/case/11-CA-077869](http://www.nlr.gov/case/11-CA-077869) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.

